

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-20 stand restricted to group I, claims 1-10, and group II, claims 11-20.

On grounds that the claimed fuel injector can perform a materially different process than the claimed method of injecting fuel. Applicants respectfully disagree because it is unclear what supposedly materially different fuel injection method could be practiced by the claimed fuel injector that does not require equalizing opening and closing pressure forces on the needle valve member. In other words, the claimed structure and fluid connections inherently prevent the fuel injector from performing a materially different fuel injection method from that required by the independent method claims. Therefore, Applicants respectfully assert that the justification for restricting the present application is not accurate, or is at least so unclear as to not give Applicants a fair opportunity to rebut the restriction requirement. Therefore, Applicants respectfully request that the restriction requirement be withdrawn, as the application includes only one invention, or that the Examiner better explain the restriction justification so that Applicants have a fair opportunity to rebut the same. Alternatively, the Examiner might suggest a claim amendment that would satisfy him that the claims define a single invention or at least two so related inventions as to not be overburdensome for the Examiner to search the same. In the event that the restriction requirement is not withdrawn, Applicants elect group II and claims 11-20 for substantive examination.


The Examiner has identified the application as including species A, Figure 2; species B, Figure 3; species C, Figure 4; and, species D, Figure 5. Applicants initially agree that claims 1 and 11 are generic to all the identified species, but also respectfully assert that other claims are also generic to all the species. Nevertheless, Applicants elect species A of Figure 2 and identify claims 1-4, 9-16 and 19-20 as readable on the elected species.

Applicants have amended this specification and claim 4 to better correspond to the subject matter intended to be originally claimed. No new matter has been added.

This application is believed to be in condition for allowance of claims 1-20. However, if the Examiner has some minor additional clarification that would render the

restriction requirement moot or put the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at (812) 333-5355 in order to hasten the prosecution of this application.

Respectfully submitted,



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